

KURTIS & ASSOCIATES, P.C.

SUITE 600
2000 M STREET, N.W.
WASHINGTON, D.C. 20036

(202) 328-4500
TELECOPIER (202) 328-1231

RECEIVED

DEC 11 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Report to the Federal Communications Commission on Implementation of 711 Access to TRS as Provided by CC Docket No. 92-105, In the Matter of The Use of N11 Codes and Other Abbreviated Dialing Arrangements

Missouri RSA No. 7 Limited Partnership dba Mid-Missouri Cellular ("Mid-Missouri Cellular"), by its attorneys, pursuant to the Federal Communications Commission's ("Commission") *Second Report and Order* ("*Second R&O*") in CC Docket No. 92-105,^{1/} hereby files a "jeopardy" report detailing why it may not be able to resolve the implementation issues to provide 711 access to TRS in a timely manner, and therefore may not be compliant with Sections 64.603 and 64.604(C) paragraph (2) of the Commission's Rules on October 1, 2001.

In the *Second R&O* the Commission revised its rules so that each common carrier providing telephone voice transmission services shall provide, not later than October 1, 2001, access via the 711 dialing code to all relay services as a toll free call.^{2/} In addition, each common carrier shall conduct not later than October 1, 2001, education and outreach programs that will increase the public awareness and understanding of 711 access to TRS.^{3/} The Commission, however, allows wireless carriers who believe they may not be able to resolve implementation issues in a timely manner to file a Report with the Commission within four months of the effective date of the *Second R&O*, stating that their ability to comply with the one-year deadline (October 1, 2001) is in jeopardy.^{4/} Mid-Missouri Cellular now files this instant report with the Commission.

Mid-Missouri Cellular provides analog and digital CMRS wireless service in the Missouri 7 – Saline RSA and the Kansas City, MO/KS MSA.^{5/} Mid-Missouri Cellular greatly desires to comply with the requirements of Sections 64.603 and 64.604(C) paragraph (2), to provide hearing-impaired persons with TTY access via the 711 dialing code over its digital wireless network and provide

^{1/}In the Matter of The Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105, FCC 00-257, 15 FCC Rcd 15188, *Second Report and Order*, (rel. August 9, 2000) ("*Second R&O*").

^{2/}47 C.F.R. 64.603, as amended by the *Second R&O*.

^{3/}47 C.F.R. 64.604(C), as amended by the *Second R&O*.

^{4/}*Second R&O* at ¶ 38.

^{5/}Stations KNKN595 (CMA510B) and KNKR207 (CMA024B2)

No. of Copies rec'd 0+4
Let ABCDE

education and outreach regarding the availability of TTY access via the 711 dialing code. As such, while Mid-Missouri Cellular has the ability to route, and will route calls to a TRS provider via 711 on a toll free basis, it may not be able to provide wireless TTY access to its digital subscribers in time for the October 1, 2001 deadline.

As the Commission is aware, there are issues involving the ability of digital networks to provide proper access to TTY devices. In addition, digital *subscriber* equipment is currently not commercially available from handset equipment vendors to permit Mid-Missouri Cellular to offer wireless TTY access via the 711 dialing code, or any other TTY access number, to digital subscribers over its wireless network. This inability to provide service to certain types of TTY devices over digital networks has already come before the Commission in the context of provision of E911 access for TTY devices. In that proceeding, the Commission recognized that technical difficulties associated with achieving TTY compatibility on digital wireless systems exist and it granted an interim waiver of this compatibility requirement to over 100 carriers, including Mid-Missouri Cellular, while the industry worked on a solution.^{6/} Mid-Missouri Cellular's interim waiver, which went into effect January 1, 1999 remains in force. Thus, this is not a situation where compliance is unduly burdensome for Mid-Missouri Cellular, rather, it is impossible for Mid-Missouri Cellular to fully comply with the purpose of this rule section because there is not compliant handset equipment available.

Mid-Missouri Cellular can and will perform 711 call routing functionality on a timely basis. Moreover, Mid-Missouri Cellular analog handset subscribers should be able to fully utilize their TTY devices with the Mid-Missouri Cellular system and their analog handsets. However, the specific details of a timeline to implement 711 access to TRS via TTY devices over the digital wireless network, and other issues related to such implementation, relate to the technical specifications of the subscriber equipment that is being developed to provide TTY compatible service, and as such are beyond the scope of information which Mid-Missouri Cellular's can provide. Such questions are more appropriately addressed by equipment vendors because the equipment vendors, and not the licensees, are directly involved in developing compliant equipment.

Finally, although Mid-Missouri Cellular agrees with the spirit of Section 64.604(C) paragraph (2), it must report that compliance with the aforementioned section would be impracticable if not impossible in the context of digital subscribers until such time as the requisite subscriber interface equipment is commercially available and full network compatibility has been confirmed. Accordingly, it may well be premature for Mid-Missouri Cellular to: "conduct, not later

^{6/}See Revision of the Commission Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *Order*, 14 FCC Rcd 1700, (1998); *See also* 47 C.F.R. § 20.18 (the rule for which over 100 carriers were granted waivers).

than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible^{2/} for digital subscribers, when that educational program must be linked to the availability of subscriber TTY devices to enable full 711 access to TRS.

As soon as the issues surrounding TTY access over digital networks is resolved, Mid-Missouri Cellular intends to comply with Sections 20.18 (the topic of the interim waiver granted by the Commission), and will also be able to comply with 64.603 and 64.604(C) paragraph (2) of the Commission's rules. However, as of this point in time, Mid-Missouri Cellular believes, in good faith, that full compliance by October 1, 2001 is in jeopardy with respect to digital subscribers.

Respectfully submitted,

Missouri RSA No. 7 Limited Partnership dba
Mid-Missouri Cellular



Michael K. Kurtis
Wendy I. Kirchick
Anna E. Ward

Its Attorneys

Kurtis & Associates, P.C.
2000 M Street, N.W.
Suite 600
Washington, D.C. 20036
(202) 328-4500

December 11, 2000

^{2/}See 47 C.F.R. 64.604(C) paragraph (2) as adopted in the *Second R&O*.

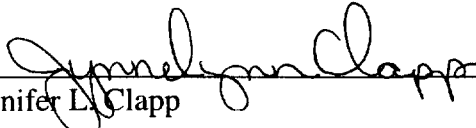
CERTIFICATE OF SERVICE

I, Jennifer L. Clapp, a secretary with the law firm of Kurtis & Associates, P.C., do hereby certify that I have this 11th day of December 2000, filed the foregoing "REPORT TO THE FEDERAL COMMUNICATIONS COMMISSION ON IMPLEMENTATION OF 711 ACCESS TO TRS AS PROVIDED BY CC DOCKET NO. 92-105, IN THE MATTER OF THE USE OF N11 CODES AND OTHER ABBREVIATED DIALING ARRANGEMENTS" electronically with the Federal Communications Commission. In addition, on this date, I have sent copies of this Report via hand delivery to the following:

Magalie Roman Salas, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Staci L. Pies
Assistant Division Chief
Network Services Division
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W., Room 6-A326
Washington, D.C. 20554

Karen Peltz Strauss
Deputy Bureau Chief
Consumer Information Bureau
Federal Communications Commission
445 12th Street, S.W., Room 5-C755
Washington, D.C. 20554



Jennifer L. Clapp